

Attorney's Docket No. 38190/260888  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Martin Eberle, Tim Rabel  
Appl No.: 10/752,425  
Filed: January 6, 2004  
For: APPARATUS AND METHOD FOR  
LIGHTER-THAN-AIR AIRCRAFT

Confirmation No.: 3796  
Group Art Unit: To be assigned

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

In response to the Notice to File Missing Parts of Application dated April 20, 2004, enclosed are the following:

- ☒ Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- ☒ Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventor(s)
- ☐ Applicant claims small entity status
- ☒ Check in the amount of \$1,080.00 to cover the filing fee of \$950.00 and the \$130.00 surcharge under 37 C.F.R. § 1.16(e)
- ☐ English Translation and \$130.00 (37 CFR 1.17(i)) fee for filing late.
- ☒ Other: Petition and Fee for Extension of Time (\$420.00)
- ☒ Any deficiency, additional fee, or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Nicholas F. Gallo  
Registration No. 50,135

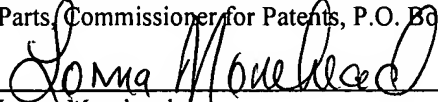
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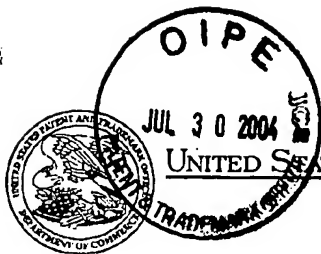


"Express Mail" mailing label number EV 440825421 US  
Date of Deposit July 30, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
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Lorna Morehead

CLT01/4660063v1



08-02-04

Alston &amp; Bird

IFW ✓

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/752,425	01/06/2004	Martin Eberle	38190/260888

00826  
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CHARLOTTE, NC 28280-4000

CONFIRMATION NO. 3796

## FORMALITIES LETTER



\*OC000000012396901\*

Date Mailed: 04/20/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$180 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1080 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

08/03/2004 WASFAH1 00000018 10752425

01 FC:1001	770.00	OP
02 FC:1051	130.00	OP
03 FC:1202	180.00	OP

- Total additional claim fee(s) for this application is **\$180**

- **\$180** for **10** total claims over 20.

Replies should be mailed to:    Mail Stop Missing Parts  
   Commissioner for Patents  
   P.O. Box 1450  
   Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

Phuong Bui  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE